

4. That Section 5 of the Illinois Workers' Compensation Act provides that no settlement or judgment in a case brought by the employee shall be valid without the employer's consent or without the employer being fully indemnified or protected by Court Order. Said statutory provision provides as follows:

"No release or settlement of claim for damages by reason of such injury or death, and no satisfaction of judgment in such proceedings shall be valid without the written consent of both the employer and employee or his personal representative, except in the case of the employers, such consent is not required where the employer has been fully indemnified or protected by Court Order." 820 ILCS 305/5(b) (West's Smith-Hurd 1993).

5. The employer shall have the right to file an Intervening Petition in any action filed by the employee for which the employer has a reimbursement under Section 5 of the Illinois Workers' Compensation Act. Such provision provides as follows:

"The employer may, at any time thereafter, join in the action upon his motion so that all orders of Court after hearing and judgment shall be made for his protection." 820 ILCS 305/5(b) (West's Smith-Hurd 1993)

WHEREFORE, the Intervening Petitioner prays that for relief in accordance with Section 5 of the Illinois Workers' Compensation Act in the following respects:

A. All dispositive Orders of the Court shall be made for the protection of the reimbursement rights of the employer under Section 5 of the Illinois Workers' Compensation Act 820 ILCS 305/5;

B. That Sentry Claims Service for the use and benefit of Crucible Service Centers shall be served with all pleadings and discovery filed in this matter.

C. That Sentry Claims Service for the use and benefit of Crucible Service Centers' participation in the prosecution of said suit shall be governed by Section 5 of the Illinois Workers' Compensation Act, 820 ILCS 305/5.

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